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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,094	02/14/2002	Alejandro R. Holcman	020043	1419
23696	7590	08/01/2006		
QUALCOMM INCORPORATED 5775 MOREHOUSE DR. SAN DIEGO, CA 92121				
			EXAMINER HALIYUR, VENKATESH N	
			ART UNIT 2616	PAPER NUMBER

DATE MAILED: 08/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

sf

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/077,094	HOLCMAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Venkatesh Haliyur	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 4/21/2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Response to Amendment*

1. The amendment filed on 04/21/2006 has been considered but is ineffective to overcome the Grilli et al. reference. Please see the rejections below.
2. Claims 1-23 are still pending in the application. Claim 24 is cancelled in the amendment of 04/21/2006.

### *Claim Rejections - 35 USC § 102*

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Grilli et al. [US Pat: 6,438,117].

Regarding claims 1,17, Grilli et al. disclosed "Base Station Synchronization For Handover in a Hybrid GSM/CDMA Network", a method and system for handover of a mobile station (**item 40 of Fig 4A**) from a first base station (**item 76 of Fig 4A**) in a first cellular communications system (**item 32 of Fig 4A, CDMA**) controlled by a first mobile switching control station (**item 34 of Fig 4A**) to a second base station in a second (**item**

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**78 of Fig 4A)** cellular system (**item 30 of Fig 4A, GSM**) controlled by a second mobile switching control station (**item 77 of Fig 4A**), and said first cellular communications system being a CDMA system, and said second cellular system being a GSM system, and the method of measuring at the mobile station a first parameter of a first signal transmitted by said first base station, measuring at the mobile station a second parameter of a second signal transmitted by said second base station, communicating a signal quality message from the mobile station via the first base station to said first mobile switching control station, when the first and second parameters (**synchronization data**) reach a predetermined condition, generating at the first mobile switching control station an message containing handoff data, communicating the message from said first mobile switching control station to said mobile station, generating at the mobile station a message containing handoff data (**col 2, lines 7-61**), and communicating the MAP message from the mobile station to the second mobile switching control station [**Figs 4A,4B,13,15, col 2, lines 8 - 67, cols 3-5, col 6, lines 16-42, cols 12-23, col 24,lines 1-49, col 28, lines 30-67,col 29-31, col 32, lines 1-38**].

Regarding claims 2-4, 9-11,18-20 Grilli et al. disclosed that their system comprising generating at the second mobile switching control station channel information identifying a channel in the second communications system for the mobile station and establishing communication between said mobile station and said second base station in the identified channel and discontinuing (**interrupt**) communication between said mobile station and said first base station [**col 2, lines 31-67,col 3, lines 1-67, col 4, lines 1-25, col 5, lines 7-22**].

Regarding claims 5-7,12-14,21-23, Grilli et al. disclosed that said first and second parameters correspond to signal strength and handoff data includes timing information and authentication (**identification**) data [col 2, lines 44-61, col 4, lines 14-67, col 5-lines 1-32].

Regarding claim 8, Grilli et al. disclosed a mobile station (**item 40 of Fig 4A**) comprising a first transceiver chain operable to receive and transmit signals with a first base station (**item 76 of Fig 4A**) in a first cellular communications system, said first cellular communication system being a CDMA system (**item 32 of Fig 4A, CDMA**) and a second transceiver chain operable to receive and transmit signals with a second base station (**item 78 of Fig 4A**) in a second cellular communications system station (col 2, lines 62-67, col 3, lines 1-17), said second cellular communications system being a GSM system (**item 30 of Fig 4A, GSM**), and a controller for measuring a first parameter of a first signal transmitted by said first base station and measuring a second parameter of a second signal transmitted by said second base station and communicating a signal quality message from the mobile station via the first base station to said first cellular communications system, when the first and second parameters (**synchronization data**) reach a predetermined condition and receiving from the first base station a message containing handoff data and generating a Mobile Application Protocol (MAP) message containing the handoff data and communicating the MAP message to the second [Figs 4A,4B,13,15, col 2, lines 8 - 67, cols 3-5, col 6, lines 16-42, cols 12-23, col 24,lines 1-49, col 28, lines 30-67,col 29-31, col 32, lines 1-38].

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Regarding claims 15-16, Grilli et al. disclosed that the first transceiver chain is active when the second transceiver chain is inactive and the second transceiver chain is active when the first transceiver chain is inactive [col 2, lines 44-61, col 3, lines 4-8].

### ***Response to Arguments***

4. Applicant's arguments see remarks filed on 04/21/2006 with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications should be directed to the attention to Venkatesh Haliyur whose phone number is 571-272-8616. The examiner can normally be reached on Monday-Friday from 9:00AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached @ (571)-272-3139. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (571)-272-2600 or fax to 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

Venkatesh Haliyur

Patent Examiner

*vh*  
01/27/06

  
RICKY Q. NGO  
SUPERVISORY PATENT EXAMINER